

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CORY REID,

Plaintiff,

- against -

WARDEN MATTHEWS, et al.,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

19-CV-324 (AMD) (ST)

ANN M. DONNELLY, United States District Judge:

On January 10, 2019, the *pro se* plaintiff, Cory Reid, brought this action against the Brooklyn Detention Complex (“BDC”) warden, several corrections officers, and the City of New York alleging that he was wrongfully terminated and retaliated against when he worked at the BDC Law Library. (ECF No. 1 at 5, 19-24.)

On April 11, 2019, I dismissed the plaintiff’s Equal Protection and failure to intervene claims, but permitted his remaining claims to proceed against the individual defendants. (ECF No. 14.) Since then, the plaintiff has not appeared for any status conferences or responded to any of the Court’s orders. (ECF Nos. 27, 31, 34.) On November 12, 2019, the defendants filed a motion to dismiss for failure to prosecute. (ECF No. 36.) The defendants say they have sent the plaintiff four different document requests since May of 2019, but that the plaintiff has not responded or otherwise contacted the defendants or the Court. (ECF No. 37.)

On April 9, 2020, I referred the defendants’ motion to the Honorable Steven L. Tiscione. On May 8, 2020, Judge Tiscione recommended in a comprehensive report and recommendation

that the case be dismissed for failure to prosecute. (ECF No. 40.) No objections have been filed to the report and recommendation, and the time for doing so has passed.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the report and recommendation to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis v. N. Am. Globex Fund L.P.*, 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (quotation marks omitted).

I have carefully reviewed Judge Tiscione’s thoughtful report and recommendation and find no error. Accordingly, I adopt the report and recommendation in its entirety and order that the complaint be dismissed with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
June 22, 2020